



500.09 Traffic Enforcement Records

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POLICY

The Hendry County Sheriff's Office adheres to the legal requirements of Florida Statutes 316.650, which mandates the procedures for storing, issuing, accounting for, and cross-referencing of Uniform Traffic Citations. The control, issuance, and accountability of traffic citations will be the responsibility of the Records Division.

PROCEDURE

A. Storing Uniform Traffic Citations

1. The state of Florida issues Uniform Traffic Citations (UTC) to the agency. The citations are stored in HCSO Records Section, which is a limited access, secure facility. The Records Section will maintain, minimally, a one (1) year supply of citations.

B. Issuing Uniform Traffic Citations

1. The Records Section shall only issue hand-written citations to HCSO members holding the rank of Sergeant or above. Each employee will sign an officer's receipt for each book of Uniform Traffic Citations, DUI Uniform Traffic Citations, and Boating Uniform Traffic Citations.
 - a. Electronic Citation Numbers will be received from DHSMV via e-mail and forwarded to the Records Section, who is responsible for programming them into the computer system for distribution to the mobile computers.

C. Accountability of Uniform Traffic Citations

1. Each UTC has an individual number assigned and all are accountable. Accountability for UTC is the responsibility of each deputy. The Records Section will receive the White (non-arrest) copy of each uniform Traffic Citation issued. The Records Section will distribute the white copies to the Clerk of Courts Office.
2. Void Citations
 - a. If a citation is voided or damaged, the LEO will mark the word "VOID" across the face of the citation with a brief explanation and the officer's initials.
 - b. The Deputy will fill out the Citation Control Form 500.09-01.
 - c. The citation and form will be returned to the supervisor for approval and signature.

- d. The supervisor will then forward the voided citation and form to the Records Section.
 - e. Records Section will enter the voided citation into the citation database and forward to DHSMV.
 - f. The Records Section will be responsible for disposing of the carbon copies.
- 3. Lost or Stolen Citation
 - a. If a citation is lost or stolen, the deputy who is responsible for the citation will complete the Citation Control Form 500.09-01 with an explanation of the circumstances of the theft or loss.
 - b. The form will be sent to the supervisor for approval and signature.
 - c. The supervisor will then forward the form to the Records Section.
- 4. Dismissal
 - a. If a deputy needs to void a citation, all copies must be in the deputy's possession and marked VIOD with a brief explanation and the deputy's initials. Only the issuing deputy may void the citation. A citation CANNOT be voided once it is issued to an alleged violator. Once it is issued to an alleged violator or, if the Deputy does not have in his/her possession all copies, then the citation must be dismissed by a judge. Remember, it is unlawful and official misconduct for a deputy to dispose of a citation other than as required by Florida Statutes 316.650.
 - b. To request a dismissal, a memorandum 100.01-01 addressed to the court, must be submitted with the citation and will be given to the Records Section. The memorandum must indicate citation information, reason for request, Deputy Signature and supervisor approval.
- 5. If an HCSO member shares a citation with another member, the member that was issued the citation shall complete a Citation Control Form indicating the circumstances and what member issued them the citation. The form will then be forwarded to Records.
- D. All written citations (non-arrest) are required in the Clerk of the Court, Traffic Department within five (5) days via the Records Division.
- E. All UTC will be cross-referenced in the appropriate automated file (mobile forms) by deputy name and citation number.
- F. The storing, issuing, accountability and cross-referencing of DUI ticket books are the same as for UTC.
- G. It is unlawful and official misconduct for any traffic enforcement officer or other officer or public employee to dispose of a traffic citation or copies.
- H. The Professional Standards Unit will conduct periodic audits to ensure adherence to these procedures.
- I. The issuing deputy shall retain the pink copy or its electronic equivalent for a minimum of 180 days after the final court disposition.
- J. Collected Data
 - 1. The Criminal Intelligence Analyst will complete a yearly traffic crash and traffic enforcement analysis reports. This report shall be made available for possible deployment of personnel in specific target areas, and determine other issues that may need to be addressed.

2. A record shall be maintained of all selective traffic enforcement special assignments.
 - a. An after action report, directed to the supervisor, will be filed by deputy involved in selective patrol activity.

DEFINITIONS

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES (DHSMV) – The state agency responsible for the licensing of all drivers within the State.

DRIVER – A person who operates or is in physical control of a vehicle.

DRIVING UNDER THE INFLUENCES (DUI) – Driving while under the influences of alcoholic beverages, chemical substances, controlled substances, or with an unlawful blood alcohol level as set forth by Florida Statutes 316.193.

DRIVING UNDER THE INFLUENCES (DUI) UNIFORM TRAFFIC CITATION – a citation issued only for DUI arrests when the driver's Blood Alcohol Content is .08g/210L or higher, or when the driver refuses to submit to a breath test or request for a urine or blood test.

MOBILE DATA COMPUTER (MDC) – A vehicle-based computer that provides for dispatching, carto-car communications, and criminal justice database inquiries.

UNIFORM TRAFFIC CITATION (UTC) – Standard traffic summons issued for all traffic offenses except for DUI arrests.

REFERENCES

State/Federal Regulations:

Florida Statutes 316.193

Florida Statutes 316.650

Uniform Traffic Citation Combine Manual

CFA:

None

Forms:

100.01-01 Memorandum

500.09-01 Citation Control Form

Other Policy/ Procedure References:

500.34 Selective Traffic Control Enforcement

500.35 DUI Traffic Enforcement